

REMARKS

Claims 8 and 15-21 are pending and under consideration.

ITEMS 4-7 AND 7-11: REJECTION OF CLAIMS 8, 15, AND 18-21 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER SHIOTA ET AL. (U.S.P. 6,337,712) IN VIEW OF UEDA ET AL (U.S.P. 6429923)

Independent claims 8, 15, 18, 19, and 21 (and dependent claim 2) respectively recite a data processing service system provided in a shop for a digital camera, and a method, using claim 8 as an example, including "interface means for reading a photographed image data stored in a memory of said digital camera; and controller means for preserving said photographed image data to a storage medium accessible by a user, wherein the interface means is a single means to identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera, to select a reading method corresponding to said identified type of said digital camera, and to read said photographed image data recorded in said memory of said digital camera using said selected reading method corresponding to said identified type of said digital camera."

The Action concedes that Shiota does not teach:

the interface is a single means which performs the identifying, selecting, and reading steps all at the single means.

(Action at page 3).

However, the Examiner rejects claims 8, 15, and 18-21 under 35 U.S.C. 103(a) as being unpatentable over Shiota in view of Ueda.

Applicant respectfully submits that the Examiner has not established *prima facie* obviousness since features recited by claims 8, 15, and 18-21 are not taught by the cited art, alone or by an *arguendo* combination.

Ueda does not teach "interface means is a single means to identify a type of said digital camera by reading information pre-stored in at least one of said memory of the digital camera and said digital camera," as the Examiner mistakenly contends. (Emphasis added).

Ueda merely teaches (see, for example, col. 8, lines 25-35):

since the name and the contact place of the orderer can be received from the card center corresponding to the card type by transmitting the card ID information to the card center so as to transmit the name and the contact place of the orderer, it is not necessary to write a name with katakana character and there is no fear that the name and the contact place are surreptitiously looked by a stalker.

Ueda merely teaches checking an ID card of an individual and a digital copy connected to a plural terminal by an interface, i.e., LAN, and receiving a request including an ID from a plural

terminal with a port that includes the LAN.

Ueda further teaches (see, for example, col. 10, lines 35-37) that "(w)ith the invention described in Item (23), the order receiving described in either one of Items (20) to (22) can be conducted by any one of the plural cards." (Emphasis added).

That is, Ueda does not teach a single means as a "digital camera" or "memory card."

The Examiner contends that it would have been obvious to modify Shiota with Ueda "because it would allow efficient processing of photographic image data by a user." (Action at page 3).

Further, Applicant submits there is no motivation to combine the art in a manner as the Examiner contends. Shiota, in fact, teaches away from a single interface. Shiota teaches (see, for example, col. 5, lines 11-15):

(i)t is preferable to have a plurality kinds of card readers according to the standard of memory cards such as PCMCIA or SSFDC.

(Emphasis added).

CONCLUSION

Since features recited by claims 8, 15 and 18-21 are not taught by the cited art, alone or in combination, there is no motivation to combine the art in a manner as the Examiner suggests and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 8, 15, and 18-21 allowed.

ITEMS 6-7: REJECTION OF CLAIMS 16-17 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER SHIOTA IN VIEW OF UEDA

Claims 16-17 recite a method of data processing service for a digital camera including "reading, at a shop, a photographed image data stored in a memory of the digital camera; preserving, at the shop, the photographed image data in a storage medium accessible by a user; reading ID data recorded in a storage medium; and determining whether a transfer service is to be charged for the preserving using the ID data read, wherein the transfer service is charged when the ID data read does not match an ID corresponding to the digital camera."

The Action concedes that Shiota does not teach:

ID data is used to determine whether a transfer service is to be charged for preserving data, wherein it is charged when ID data does not match an ID corresponding to the digital camera.

(Action at page 3). However, the Examiner rejects claims 16-17 under 35 U.S.C. 103(a) as being unpatentable over Shiota in view of Ueda.

Applicant submits that Ueda does not teach "determining whether a transfer service is to

be charged for the preserving using the ID data read, wherein the transfer service is charged when the ID data read does not match an ID corresponding to the digital camera," as the Examiner contends. (Emphasis added).

According to an aspect of the present invention (see, for example, page 16, starting at line 3) it is possible for a transfer service to conducted without charging be free. However if an ID does not match, a transfer service is charged. This feature is not found either in Shiota or Ueda, alone, or in combination.

CONCLUSION

Since features recited by claims 16-17 are not taught by the cited art, alone or in combination and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 16-17 allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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